



# LEXINGTON

## Bid 79-2024 Addendum 1 Woodall Construction Co., Inc. Supplier Response

### Event Information

Number: Bid 79-2024 Addendum 1

Title: Parks Construction UPC

Type: Competitive Bid

Issue Date: 5/16/2024

Deadline: 6/6/2024 02:00 PM (ET)

Notes: **ONLY ONLINE BIDS WILL BE ACCEPTED. PLEASE FILL OUT THE BID DOCUMENTS AND ATTACH IN THE "RESPONSE ATTACHMENTS" TAB. PRICING SHOULD BE SUBMITTED ON THE EXCEL SPREADSHEET AND ATTACHED SEPARATELY AS AN EXCEL FILE IN THE RESPONSE ATTACHEMENTS TAB. PRICING WITHIN SUBMITTED BID DOCUMENTS WILL NOT BE ACCEPTED AND MAY MAKE YOUR BID NON-RESPONSIVE.**

### Contact Information

Contact: Kristie Thomas

Address: Central Purchasing  
Government Center Building  
200 East Main Street  
Lexington, KY 40507

Phone: (859) 2583320

Fax: (859) 2583322

Email: [kthomas@lexingtonky.gov](mailto:kthomas@lexingtonky.gov)

## Woodall Construction Co., Inc. Information

Contact: Scott Woodall  
Address: 1332 Cahill Drive  
Lexington, KY 40504  
Phone: (859) 233-2909  
Fax: (859) 281-6259  
Email: [swoodall@woodallconst.com](mailto:swoodall@woodallconst.com)  
Web Address: [www.woodallconst.com](http://www.woodallconst.com)

ONLY ONLINE BIDS WILL BE ACCEPTED! By submitting your response, you certify that you are authorized to represent and bind your company and that you agree to all bid terms and conditions as stated in the attached bid/RFP/RFQ/Quote/Auction documents.

Gary Caudill

*Signature*

*Submitted at 6/6/2024 10:44:50 AM (ET)*

[gcaudill@woodallconst.com](mailto:gcaudill@woodallconst.com)

*Email*

## Response Attachments

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### **79-2024\_UPC\_BID\_SCHEDULE\_ELECTRONIC\_FORM.xlsx**

79-2024 Bid Schedule

### **woodallscan\_20240606\_092520.pdf**

Document and Specifications Div. of Parks UPC Bid No 79-2024



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**CONTRACT DOCUMENTS  
AND  
SPECIFICATIONS**

**DIVISION OF PARKS AND RECREATION**

**FOR**

**Parks Construction UPC**

**Bid No. 79-2024**

**PART III**

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**Invitation to Bid No. 79-2024**

**Parks Construction UPC**

**1. FORM OF PROPOSAL**

Place: Lexington, Kentucky

Date: 6-6-2024

The following Form of Proposal shall be followed exactly in submitting a proposal for this Work.

This Proposal Submitted by WOODALL CONSTRUCTION CO., INC.  
1332 Cahill Drive  
Lexington, KY 40504-1164  
(Name and Address of Bidding Contractor)

(Hereinafter called "Bidder"), organized and existing under the laws of the State of Ky, doing business as Woodall Construction Co. Inc.  
"a corporation," "a partnership", or an "individual" as applicable.

To: Lexington-Fayette Urban County Government  
(Hereinafter called "OWNER")  
Office of the Director of Purchasing  
200 East Main Street, 3rd Floor  
Lexington, KY 40507

Gentlemen:

The Bidder, in compliance with your Invitation for Bids for **Parks Construction UPC** having examined the Plans and Specifications with related documents, having examined the site for proposed Work, and being familiar with all of the conditions surrounding the construction of the proposed Project, including the availability of materials and labor, hereby proposes to furnish all labor, materials, and supplies, and to construct the Project in accordance with the Contract Documents, within the time set forth therein, and at the lump sum and/or unit prices stated hereinafter. These prices are to cover all expenses incurred in performing the Work required under the Contract Documents, of which this proposal is a part. The OWNER will issue work orders for work to be performed under this Contract.

BIDDER hereby agrees to commence work under agreed-to Purchase Order accepted under this Contract and to complete the Project(s) within the time provided by the Purchase Order. The Bidder hereby acknowledges receipt of the following addenda:

Addendum No. 1 Date 5/28/24

Addendum No.      Date                     

Insert above the number and the date of any Addendum issued and received. If none has been issued and received, the word "NONE" should be inserted.

**2. LEGAL STATUS OF BIDDER**

Bidder Woodell Construction Co., Inc.

Date 6-6-2024

\* 1. A corporation duly organized and doing business under the laws of the State of Ky, for whom Pat L. Woodell, bearing the official title of President, whose signature is affixed to this Bid/Proposal, is duly authorized to execute contracts.

\* 2. A Partnership, all of the members of which, with addresses are: (Designate general partners as such)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\* 3. An individual, whose signature is affixed to this Bid/Proposal (please print name)

\_\_\_\_\_  
\_\_\_\_\_

\*(The Bidder shall fill out the appropriate form and strike out the other two.)

3. **BIDDERS AFFIDAVIT**

Comes the Affiant, Scott Woodall - Scott Woodall, and after being first duly sworn, states under penalty of perjury as follows:

1. His/her name is Scott H. Woodall and he/she is the individual submitting the bid or is the authorized representative of Woodall Construction Co., Inc., the entity submitting the bid (hereinafter referred to as "Bidder").
  2. Bidder will pay all taxes and fees, which are owed to the Lexington-Fayette Urban County Government at the time the bid is submitted, prior to award of the contract and will maintain a "current" status in regard to those taxes and fees during the life of the contract.
  3. Bidder will obtain a Lexington-Fayette Urban County Government business license, if applicable, prior to award of the contract.
  4. Bidder has authorized the Division of Central Purchasing to verify the above-mentioned information with the Division of Revenue and to disclose to the Urban County Council that taxes and/or fees are delinquent or that a business license has not been obtained.
  5. Bidder has not knowingly violated any provision of the campaign finance laws of the Commonwealth of Kentucky within the past five (5) years and the award of a contract to the Bidder will not violate any provision of the campaign finance laws of the Commonwealth.
  6. Bidder has not knowingly violated any provision of Chapter 25 of the Lexington-Fayette Urban County Government Code of Ordinances, known as the "Ethics Act."
  7. Bidder acknowledges that "knowingly" for purposes of this Affidavit means, with respect to conduct or to circumstances described by a statute or ordinance defining an offense, that a person is aware or should have been aware that his conduct is of that nature or that the circumstance exists.
- Further, Affiant sayeth naught.

[Signature]  
(Affiant)

STATE OF Kentucky  
COUNTY OF Fayette

The foregoing instrument was subscribed, sworn to and acknowledged before me by Scott Woodall on this the 6 day of June, 2024.

My Commission expires: 5/8/27



[Signature]  
NOTARY PUBLIC, STATE AT LARGE

**4. BID SCHEDULE – SCHEDULE OF VALUES**

The Bidder agrees to perform all the Work described in the Specifications and shown on the Plans for the following proposed lump sum and/or unit prices, if applicable, which shall include the furnishing of all labor, materials, supplies, equipment and/or vehicle usage, services, all items of cost, overhead, taxes (federal, state, local), and profit for the Contractor and any Subcontractor involved, within the time set forth herein. If unit prices are applicable, Bidder must make the extensions and additions showing the total amount of bid.

Bidders shall enter their unit prices on the attached Excel spreadsheet (Available through the LFUCG Ion Wave Procurement website), titled *79-2024 UPC BID SCHEDULE ELECTRONIC FORM.xlsx*, and submit it through Ion Wave.

**The Bidder is not required to bid on every item listed in the bid schedule. In instances where the Bidder chooses not to bid on a specific item, the Bidder shall enter the phrase “no bid” in the unit price column for that respective item. However, Bidders are cautioned that failure to submit a unit bid price on an item will disqualify the Bidder from any project requiring that item, even if they have submitted unit bid prices for all other work items pertaining to that particular project.**

**BIDDERS MUST COMPLETE THE EXCEL SPREADSHEET AVAILABLE ON THE LFUCG IONWAVE PROCUREMENT SITE at <https://lexingtonky.ionwave.net/Login.aspx> AND SUBMIT EXCEL SPREADSHEET, AS WELL AS, PRINTED AND SIGNED COPY OF SPREADSHEET VIA THE RESPONSE ATTACHMENTS TAB.**

#	Item	Unit
1	Bituminous pavement for athletic courts: Base	TN
2	Bituminous pavement for athletic courts: Base Over 500	TN
3	Bituminous pavement for athletic courts: Surface	TN
4	Bituminous pavement for athletic courts: Surface Over 500	TN
5	Bituminous pavement for athletic courts reinforced with aramid fibers: Base	TN
6	Bituminous pavement for athletic courts reinforced with aramid fibers: Base Over 500	TN
7	Bituminous pavement for athletic courts reinforced with aramid fibers: Surface	TN
8	Bituminous pavement for athletic courts reinforced with aramid fibers: Surface Over 500	TN
9	Bituminous pavement crack filler	LF
10	Bituminous pavement full depth crack repair	LF
11	Thermoplastic pavement striping-white or yellow	LF
12	ADA parking spot	EA
13	Asphalt sealing	SY
14	Parking lot striping	LF
15	Dense grade aggregate placed base	TN
16	No. 2 stone	TN
17	No. 9 Stone	TN
18	No. 57 stone	TN
19	Concrete sidewalk 4 1/2"	SY
20	Concrete sidewalk 6"	SY

21	Formed and finished class A concrete	SY
22	Geogrid Type 3 light duty	SY
23	Geogrid Type 3 Heavy duty	SY
24	Topsoil	CY
25	Excavation	CY
26	Embankment	CY
27	Finish grading	CY
28	Laser grading	CY
29	Standard staked silt fence-installed	LF
30	Wire back silt fence-installed	LF
31	Construction fence/Tree Protection	LF
32	Seeding & protection; General (standard seed mix)	SY
33	Seeding & protection: Athletic Field (special seed mix)	SY
34	Sod: provide & installation	SY
35	Site amenity install; trash/recycling receptacle	EA
36	Site amenity install; standard bench	EA
37	Site amenity install: covered single bench	EA
38	Site amenity install: covered double bench	EA
39	Site amenity install: square picnic table	EA
40	Site amenity install: covered square picnic table	EA
41	Site amenity installation: 6 ft. rectangle picnic table	EA
42	Site amenity installation: 8 ft. rectangle handicap picnic table	EA
43	Site amenity installation: covered 6 ft. rectangle picnic table	EA
44	Single block masonry retention wall	SF
45	Supply and install ADA parking sign	EA
46	Solid drain pipe	LF
47	4 in. HDPE perforated pipe	LF
48	6 in. HDPE perforated pipe	LF
49	Jackhammer with operator	HR
50	Skid steer loader with operator	HR
51	Backhoe (small) with operator	HR
52	Roller/compactor with operator	HR
53	Grader with operator	HR
54	Dump truck (single axle) with driver	HR
55	Dump truck (tri-axle) with driver	HR
56	Removal of Concrete Pavement, Sidewalk, Entrance Pavement	SY
57	Removal of Curb and Gutter	LF
58	Removal of fence under 10ft tall	LF
59	Removal of Fence over 10ft tall	LF
60	Saw Cutting Walk, Curb, Pavement	LF
61	Bituminous Pavement Milling and Texturing	TN

Project: Parks Construction UPC Bid# 79-2024  
 Bid Date: 6/6/2024

Contractor: Woodall Construction Co., Inc.

#	Item	Unit	Unit Price
1	Bituminous pavement for athletic courts: Base	TN	\$ 255.00
2	Bituminous pavement for athletic courts: Base Over 500	TN	\$ 250.00
3	Bituminous pavement for athletic courts: Surface	TN	\$ 260.00
4	Bituminous pavement for athletic courts: Surface Over 500	TN	\$ 255.00
5	Bituminous pavement for athletic courts reinforced with aramid fibers: Base	TN	\$ 305.00
6	Bituminous pavement for athletic courts reinforced with aramid fibers: Base Over 500	TN	\$ 300.00
7	Bituminous pavement for athletic courts reinforced with aramid fibers: Surface	TN	\$ 310.00
8	Bituminous pavement for athletic courts reinforced with aramid fibers: Surface Over 500	TN	\$ 305.00
9	Bituminous pavement crack filler	LF	\$ 25.00
10	Bituminous pavement full depth crack repair	LF	\$ 55.00
11	Thermoplastic pavement striping-white or yellow	LF	\$ 25.00
12	ADA parking spot	EA	\$ 1,500.00
13	Asphalt sealing	SY	\$ 15.00
14	Parking lot striping	LF	\$ 15.00
15	Dense grade aggregate placed base	TN	\$ 40.00
16	No. 2 stone	TN	\$ 38.00
17	No. 9 Stone	TN	\$ 38.00
18	No. 57 stone	TN	\$ 38.00
19	Concrete sidewalk 4 1/2"	SY	\$ 85.00
20	Concrete sidewalk 6"	SY	\$ 90.00
21	Formed and finished class A concrete	SY	\$ 800.00
22	Geogrid Type 3 light duty	SY	\$ 9.00
23	Geogrid Type 3 Heavy duty	SY	\$ 11.00
24	Topsoil	CY	\$ 55.00
25	Excavation	CY	\$ 30.00
26	Embankment	CY	\$ 35.00
27	Finish grading	CY	\$ 45.00
28	Laser grading	CY	NO BID
29	Standard staked silt fence-installed	LF	\$ 10.00
30	Wire back silt fence-installed	LF	\$ 14.00
31	Construction fence/Tree Protection	LF	\$ 30.00
32	Seeding & protection: General (standard seed mix)	SY	\$ 10.00
33	Seeding & protection: Athletic Field (special seed mix)	SY	NO BID
34	Sod: provide & installation	SY	\$ 18.00
35	Site amenity install; trash/recycling receptacle	EA	NO BID
36	Site amenity install; standard bench	EA	NO BID
37	Site amenity install: covered single bench	EA	NO BID
38	Site amenity install: covered double bench	EA	NO BID
39	Site amenity install: square picnic table	EA	NO BID
40	Site amenity install: covered square picnic table	EA	NO BID
41	Site amenity installation: 6 ft. rectangle picnic table	EA	NO BID
42	Site amenity installation: 8 ft. rectangle handicap picnic table	EA	NO BID
43	Site amenity installation: covered 6 ft. rectangle picnic table	EA	NO BID
44	Single block masonry retention wall	SF	NO BID
45	Supply and install ADA parking sign	EA	\$ 1,200.00
46	Solid drain pipe	LF	\$ 65.00
47	4 in. HDPE perforated pipe	LF	\$ 30.00
48	6 in. HDPE perforated pipe	LF	\$ 30.00
49	Jackhammer with operator	HR	\$ 275.00
50	Skid steer loader with operator	HR	\$ 180.00
51	Backhoe (small) with operator	HR	\$ 165.00
52	Roller/compactor with operator	HR	\$ 255.00
53	Grader with operator	HR	\$ 280.00
54	Dump truck (single axle) with driver	HR	\$ 155.00
55	Dump truck (tri-axle) with driver	HR	\$ 165.00
56	Removal of Concrete Pavement, Sidewalk, Entrance Pavement	SY	\$ 40.00
57	Removal of Curb and Gutter	LF	\$ 30.00
58	Removal of fence under 10ft tall	LF	\$ 20.00
59	Removal of Fence over 10ft tall	LF	\$ 25.00
60	Saw Cutting Walk, Curb, Pavement	LF	\$ 20.00
61	Bituminous Pavement Milling and Texturing	TN	\$ 100.00

Payment and Performance Bond Cost for Projects over \$50,000 (See Special Conditions, Section 6) - Enter % of total project cost	5%
Minimum Total Project for Consideration (See Special Conditions, Section 3) - Enter dollar amount	\$ 25,000.00
Unspecified Incidental Materials at Cost Plus 15% - Check if Interested	<input type="checkbox"/>
Unspecified Incidental Labor at Direct Wages Plus Certified Overhead Plus 15% - Check if Interested	<input type="checkbox"/>

Payment and Performance Bond cost for projects over \$50,000.00 ( <i>See Special Conditions Section 4</i> ).
Minimum total project for consideration ( <i>See Special Conditions Section 2</i> )
Unspecified incidental materials at cost plus 15%. ( <i>See Special Conditions Section 5</i> )
Unspecified incidental labor at direct wages plus certified overhead plus 15%. ( <i>See Special Conditions Section 5</i> )

Mobilization, Traffic Control, Construction Staking, and E&S Permitting will be paid on a sliding percentage scale for increments of the final price for Work, per the table below.

For example, if the final total of Bid Item Prices for the Work is \$24,000, Mobilization would be (\$10,000 X 15%) plus (\$10,000 X 10%) plus (\$4,000 X 5%) = \$2,700).

No additional compensation will be paid beyond a contract price of \$100,000. For example, the mobilization cost for a \$100,000 price of Work will be identical to that for a \$110,000 price of Work.

Applicability of Traffic Control, Construction Staking, and E&S Permitting will be agreed upon individually for each Purchase Order.

**Table of Incremental Costs for Mobilization and Additional Services**

Increment Price for Work	(a) Mobilization Cost %	(b) Traffic Control Cost %	(c) Construction Staking Cost %	(d) SWPP Etc. Cost %
\$0 - \$10,000	15.0	7.5	7.5	5.0
\$10,000 - \$20,000	10.0	4.5	4.5	0.5
\$20,000 - \$30,000	5.0	3.0	3.0	.05
\$30,000 - \$50,000	5.0	2.5	2.5	0.5
\$50,000 - \$75,000	5.0	2.5	2.5	0.5
\$75,000 - \$100,000	4.0	2.0	2.0	0.5

Submitted by:

Firm

WOODALL CONSTRUCTION CO., INC.  
1332 Cahill Drive  
Lexington, KY 40504-1164

Address

City, State & Zip

**Bid must be signed:  
(original signature)**

*[Handwritten Signature]* *[Handwritten Title]*  
Signature of Authorized Company Representative – Title

*[Handwritten Name]*  
Representative/s Name (Typed or Printed)

*859-233-1909*  
Area Code – Phone – Extension

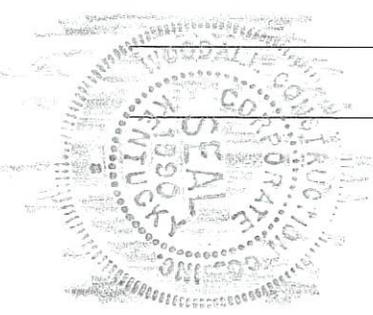
*859-281-6259*  
Fax #

*[Handwritten Email]*  
E-Mail Address

OFFICIAL ADDRESS:

WOODALL CONSTRUCTION CO., INC.  
1332 Cahill Drive  
Lexington, KY 40504-1164

(Seal if Bid is by Corporation)



**By signing this form you agree to ALL terms, conditions, and associated forms in this bid package**

5. STATEMENT OF BIDDER'S QUALIFICATIONS

The following statement of the Bidder's qualifications is required to be filled in, executed, and submitted with the Proposal:

- 1. Name of Bidder: Woodrill Construction Co. Inc.
- 2. Permanent Place of Business: Lex, Ky 1332 Cahill Drive
- 3. When Organized: 1988
- 4. Where Incorporated: Ky
- 5. Construction Plant and Equipment Available for this Project:  
Bulldozers                      Dump Trucks  
Dozers                              Rollers  
Graders  
Loaders  
Skid loaders

(Attach Separate Sheet If Necessary)

- 6. Financial Condition:

If specifically requested by the OWNER, the apparent low Bidder is required to submit its latest three (3) years audited financial statements to the OWNER'S Division of Central Purchasing within seven (7) calendar days following the bid opening.

- 7. In the event the Contract is awarded to the undersigned, surety bonds will be furnished by:

\_\_\_\_\_ (Surety)

Signed: \_\_\_\_\_ (Representative of Surety)

8. The following is a list of similar projects performed by the Bidder: (Attach separate sheet if necessary).

<u>NAME</u>	<u>LOCATION</u>	<u>CONTRACT SUM</u>
GAINESWAY PARK	Lexington Ky.	58,990.02
SOUTHWOOD PARK	Lexington, Ky	95,395.00
Buckhorn Park	Lexington Ky	15,208.68
Hughes Park Visitor Ctr.	Lexington, Ky.	40,176.11
Douglas Park	Lexington	41,128.56

9. The Bidder has now under contract and bonded the following projects:

<u>NAME</u>	<u>LOCATION</u>	<u>CONTRACT SUM</u>
Woodland Air Terminal	GEORGETOWN	\$465,616
RICHWOOD BEND	Lexington Ky	\$2,329,908.22
UK (PENCE HALL)	Lexington, Ky	\$471,000.00

10. List Key Bidder Personnel who will work on this Project.

<u>NAME</u>	<u>POSITION DESCRIPTION</u>	<u>NO. OF YEARS WITH BIDDER</u>
GARY CAUDILL	Proj MGR	18
CHARLIE MILLER	Supt	15

11. DBE Participation on current bonded projects under contract:

<u>SUBCONTRACTORS</u> <u>(LIST)</u>	<u>PROJECT</u> <u>(SPECIFIC TYPE)</u>	<u>DBE</u>	<u>% of WORK</u>

(USE ADDITIONAL SHEETS IF NECESSARY)

12. We acknowledge that, if we are the apparent low Bidder, we may be required to submit to the OWNER within 7 calendar days following the Bid Opening, a sworn statement regarding all current work on hand and under contract, and a statement on the OWNER'S form of the experience of our officers, office management and field management personnel. Additionally, if requested by the OWNER, we will within 7 days following the request submit audited financial statements and loss history for insurance claims for the 3 most recent years (or a lesser period stipulated by the OWNER).

**6. LIST OF PROPOSED SUBCONTRACTORS**

The following list of proposed subcontractors is required by the OWNER to be executed, completed and submitted with the BIDDER'S FORM OF PROPOSAL. All subcontractors are subject to approval of the Lexington-Fayette Urban County Government. Failure to submit this list completely filled out may be cause for rejection of bid.

**BRANCH OF WORK - LIST EACH MAJOR ITEM** Such as: Grading, bituminous paving, concrete, seeding and protection, construction staking, etc.

**SUBCONTRACTOR** **DBE Yes/No** **% of Work**

- |                   |                                 |            |             |
|-------------------|---------------------------------|------------|-------------|
| 1. <u>ASPHALT</u> | Name: <u>SGS Paving Co. Inc</u> | <u>YES</u> | <u>TBD.</u> |
|                   | Address: <u>Lexington</u>       |            |             |
| 2. _____          | Name: _____                     | _____      | _____       |
|                   | Address: _____                  |            |             |
| 3. _____          | Name: _____                     | _____      | _____       |
|                   | Address: _____                  |            |             |
| 4. _____          | Name: _____                     | _____      | _____       |
|                   | Address: _____                  |            |             |

**LIST OF PROPOSED MATERIALS/MANUFACTURER**

**MANUFACTURER'S REPRESENTATIVE FIRM**

- |                     |                              |
|---------------------|------------------------------|
| 1. <u>② Sandvik</u> | Name: <u>Old Castle</u>      |
| <u>Concrete</u>     | Address: <u>Lexington</u>    |
| <u>PIPE</u>         | <u>IME - Lexington</u>       |
|                     | <u>HAYS PIPE - Lexington</u> |
- (Attach additional sheet(s) if necessary.)

**7. Lexington-Fayette Urban County Government  
MWDBE PARTICIPATION GOALS**

**A. GENERAL**

- 1) The LFUCG request all potential contractors to make a concerted effort to include Minority-Owned (MBE), Woman-Owned (WBE), Disadvantaged (DBE) Business Enterprises and Veteran-Owned Small Businesses (VOSB) as subcontractors or suppliers in their bids.
- 2) Toward that end, the LFUCG has established 10% of total procurement costs as a Goal for participation of Minority-Owned, Woman-Owned and Disadvantaged Businesses on this contract.
- 3) **It is therefore a request of each Bidder to include in its bid, the same goal (10%) for MWDBE participation and other requirements as outlined in this section.**
- 4) The LFUCG has also established a 3% of total procurement costs as a Goal for participation for of Veteran-Owned Businesses.
- 5) **It is therefore a request of each Bidder to include in its bid, the same goal (3%) for Veteran-Owned participation and other requirements as outlined in this section.**

**B. PROCEDURES**

- 1) The successful bidder will be required to report to the LFUCG, the dollar amounts of all payments submitted to Minority-Owned, Woman-Owned or Veteran-Owned subcontractors and suppliers for work done or materials purchased for this contract. (See Subcontractor Monthly Payment Report)
- 2) Replacement of a Minority-Owned, Woman-Owned or Veteran-Owned subcontractor or supplier listed in the original submittal must be requested in writing and must be accompanied by documentation of Good Faith Efforts to replace the subcontractor / supplier with another MWDBE Firm; this is subject to approval by the LFUCG. (See LFUCG MWDBE Substitution Form)
- 3) For assistance in identifying qualified, certified businesses to solicit for potential contracting opportunities, bidders may contact:
  - a) The Lexington-Fayette Urban County Government, Division of Central Purchasing (859-258-3320)
- 4) The LFUCG will make every effort to notify interested MWDBE and Veteran-Owned subcontractors and suppliers of each Bid Package, including information on the scope of work, the pre-bid meeting time and location, the bid date, and all other pertinent information regarding the project.

**C. DEFINITIONS**

- 1) A Minority-Owned Business Enterprise (MBE) is defined as a business which is certified as being at least 51% owned, managed and controlled by persons of African American, Hispanic, Asian, Pacific Islander, American Indian or Alaskan Native Heritage.
- 2) A Woman-Owned Business Enterprise (WBE) is defined as a business which is certified as being at least 51% owned, managed and controlled by one or more women.

- 3) A Disadvantaged Business (DBE) is defined as a business which is certified as being at least 51% owned, managed and controlled by a person(s) that are economically and socially disadvantaged.
- 4) A Veteran-Owned Small Business (VOSB) is defined as a business which is certified as being at least 51% owned, managed and controlled by a veteran and/or a service disabled veteran.
- 5) Good Faith Efforts are efforts that, given all relevant circumstances, a bidder or proposer actively and aggressively seeking to meet the goals, can reasonably be expected to make. In evaluating good faith efforts made toward achieving the goals, whether the bidder or proposer has performed the efforts outlined in the Obligations of Bidder for Good Faith Efforts outlined in this document will be considered, along with any other relevant factors.

#### D. OBLIGATION OF BIDDER FOR GOOD FAITH EFFORTS

- 1) **The bidder shall make a Good Faith Effort to achieve the Participation Goal for MWDBE and Veteran-Owned subcontractors/suppliers. The failure to meet the goal shall not necessarily be cause for disqualification of the bidder; however, bidders not meeting the goal are required to furnish with their bids written documentation of their Good Faith Efforts to do so.**
- 2) Award of Contract shall be conditioned upon satisfaction of the requirements set forth herein.
- 3) The Form of Proposal includes a section entitled “MWDBE Participation Form”. The applicable information must be completed and submitted as outlined below.
- 4) **Failure to submit this information as requested may be cause for rejection of bid or delay in contract award.**

#### E. DOCUMENTATION REQUIRED FOR GOOD FAITH EFFORTS

- 1) Bidders reaching the Goal are required to submit only the MWDBE Participation Form.” The form must be fully completed including names and telephone number of participating MWDBE firm(s); type of work to be performed; estimated value of the contract and value expressed as a percentage of the total Lump Sum Bid Price. The form must be signed and dated, and is to be submitted with the bid.
- 2) Bidders not reaching the Goal must submit the “MWDBE Participation Form”, the “Quote Summary Form” and a written statement documenting their Good Faith Effort to do so. If bid includes no MWDBE and/or Veteran participation, bidder shall enter “None” on the subcontractor / supplier form). In addition, the bidder must submit written proof of their Good Faith Efforts to meet the Participation Goal:
  - a. Advertised opportunities to participate in the contract in at least two (2) publications of general circulation media; trade and professional association publications; small and minority business or trade publications; and publications or trades targeting minority, women and disadvantaged businesses not less than fifteen (15) days prior to the deadline for submission of bids to allow MWDBE firms and Veteran-Owned businesses to participate.
  - b. Included documentation of advertising in the above publications with the bidders good faith efforts package

- c. Attended LFUCG Central Purchasing Economic Inclusion Outreach event
- d. Attended pre-bid meetings that were scheduled by LFUCG to inform MWDBEs and/or Veteran-Owned businesses of subcontracting opportunities
- e. Sponsored Economic Inclusion event to provide networking opportunities for prime contractors and MWDBE firms and Veteran-Owned businesses.
- f. Requested a list of MWDBE and/or Veteran subcontractors or suppliers from LFUCG and showed evidence of contacting the companies on the list(s).
- g. Contacted organizations that work with MWDBE companies for assistance in finding certified MWDBE firms and Veteran-Owned businesses to work on this project. Those contacted and their responses should be a part of the bidder's good faith efforts documentation.
- h. Sent written notices, by certified mail, email or facsimile, to qualified, certified MWDBEs and/or Veteran-Owned businesses soliciting their participation in the contract not less than seven (7) days prior to the deadline for submission of bids to allow them to participate effectively.
- i. Followed up initial solicitations by contacting MWDBEs and Veteran-Owned Businesses to determine their level of interest.
- j. Provided the interested MWDBE firm and/or Veteran-Owned business with adequate and timely information about the plans, specifications, and requirements of the contract.
- k. Selected portions of the work to be performed by MWDBE firms and/or Veteran-Owned businesses in order to increase the likelihood of meeting the contract goals. This includes, where appropriate, breaking out contract work items into economically feasible units to facilitate MWDBE and Veteran participation, even when the prime contractor may otherwise perform these work items with its own workforce
- l. Negotiated in good faith with interested MWDBE firms and Veteran-Owned businesses not rejecting them as unqualified without sound reasons based on a thorough investigation of their capabilities. Any rejection should be so noted in writing with a description as to why an agreement could not be reached.
- m. Included documentation of quotations received from interested MWDBE firms and Veteran-Owned businesses which were not used due to uncompetitive pricing or were rejected as unacceptable and/or copies of responses from firms indicating that they would not be submitting a bid.
- n. Bidder has to submit sound reasons why the quotations were considered unacceptable. The fact that the bidder has the ability and/or desire to perform the contract work with its own forces will not be considered a sound reason for rejecting a MWDBE and/or Veteran-Owned business's quote. Nothing in this provision shall be construed to require the bidder to accept unreasonable quotes in order to satisfy MWDBE and Veteran goals.

- o. Made an effort to offer assistance to or refer interested MWDBE firms and Veteran-Owned businesses to obtain the necessary equipment, supplies, materials, insurance and/or bonding to satisfy the work requirements of the bid proposal
- p. Made efforts to expand the search for MWBE firms and Veteran-Owned businesses beyond the usual geographic boundaries.
- q. Other--any other evidence that the bidder submits which may show that the bidder has made reasonable good faith efforts to include MWDBE and Veteran participation.

**Note: Failure to submit any of the documentation requested in this section may be cause for rejection of bid. Bidders may include any other documentation deemed relevant to this requirement which is subject to review by the MBE Liaison. Documentation of Good Faith Efforts must be submitted with the Bid, if the participation Goal is not met.**



## MINORITY BUSINESS ENTERPRISE PROGRAM

Sherita Miller, MPA  
Minority Business Enterprise Liaison  
Division of Central Purchasing  
Lexington-Fayette Urban County Government  
200 East Main Street  
Lexington, KY 40507  
[smiller@lexingtonky.gov](mailto:smiller@lexingtonky.gov)  
859-258-3323

OUR MISSION: The mission of the Minority Business Enterprise Program is to facilitate the full participation of minority and women owned businesses in the procurement process and to promote economic inclusion as a business imperative essential to the long term economic viability of Lexington-Fayette Urban County Government.

To that end the city council adopted and implemented Resolution 484-2017 – A Certified Minority, Women and Disadvantaged Business Enterprise ten percent (10%) minimum goal and a three (3%) minimum goal for Certified Veteran-Owned Small Businesses and Certified Service Disabled Veteran – Owned Businesses for government contracts.

The resolution states the following definitions shall be used for the purposes of reaching these goals (a full copy is available in Central Purchasing):

***Certified Disadvantaged Business Enterprise (DBE)*** – a business in which at least fifty-one percent (51%) is owned, managed and controlled by a person(s) who is socially and economically disadvantaged as defined by 49 CFR subpart 26.

***Certified Minority Business Enterprise (MBE)*** – a business in which at least fifty-one percent (51%) is owned, managed and controlled by an ethnic minority (i.e. African American, Asian American/Pacific Islander, Hispanic Islander, Native American/Native Alaskan Indian) as defined in federal law or regulation as it may be amended from time-to-time.

***Certified Women Business Enterprise (WBE)*** – a business in which at least fifty-one percent (51%) is owned, managed and controlled by a woman.

***Certified Veteran-Owned Small Business (VOSB)*** – a business in which at least fifty-one percent (51%) is owned, managed and controlled by a veteran who served on active duty with the U.S. Army, Air Force, Navy, Marines or Coast Guard.

***Certified Service Disabled Veteran Owned Small Business (SDVOSB)*** – a business in which at least fifty-one percent (51%) is owned, managed and controlled by a disabled veteran who served on active duty with the U.S. Army, Air Force, Navy, Marines or Coast Guard.

The term “Certified” shall mean the business is appropriately certified, licensed, verified, or validated by an organization or entity recognized by the Division of Purchasing as having the appropriate credentials to make a determination as to the status of the business.

To comply with Resolution 484-2017, prime contractors and minority, women and veteran owned businesses must enroll in the new Diverse Business Management Compliance system, <https://lexingtonky.diversitycompliance.com/>

We have compiled the list below to help you locate certified MBE, WBE and DBE certified businesses. Below is a listing of contacts for LFUCG Certified MWDBEs and Veteran-Owned Small Businesses in (<https://lexingtonky.ionwave.net>)

<b>Business</b>	<b>Contact</b>	<b>Email Address</b>	<b>Phone</b>
<b>LFUCG</b>	Sherita Miller	<a href="mailto:smiller@lexingtonky.gov">smiller@lexingtonky.gov</a>	859-258-3323
<b>Commerce Lexington – Minority Business Development</b>	Tyrone Tyra	<a href="mailto:ttyra@commercelexington.com">ttyra@commercelexington.com</a>	859-226-1625
<b>Tri-State Minority Supplier Diversity Council</b>	Susan Marston	<a href="mailto:smarston@tsmsdc.com">smarston@tsmsdc.com</a>	502-365-9762
<b>Small Business Development Council</b>	Shawn Rogers UK SBDC	<a href="mailto:shawn.rogers@uky.edu">shawn.rogers@uky.edu</a>	859-257-7666
<b>Community Ventures Corporation</b>	Phyllis Alcorn	<a href="mailto:palcorn@cvky.org">palcorn@cvky.org</a>	859-231-0054
<b>KY Transportation Cabinet (KYTC)</b>	Melvin Bynes	<a href="mailto:Melvin.bynes2@ky.gov">Melvin.bynes2@ky.gov</a>	502-564-3601
<b>KYTC Pre-Qualification</b>	Shella Eagle	<a href="mailto:Shella.Eagle@ky.gov">Shella.Eagle@ky.gov</a>	502-782-4815
<b>Ohio River Valley Women’s Business Council (WBENC)</b>	Sheila Mixon	<a href="mailto:smixon@orvwbc.org">smixon@orvwbc.org</a>	513-487-6537
<b>Kentucky MWBE Certification Program</b>	Yvette Smith, Kentucky Finance Cabinet	<a href="mailto:Yvette.Smith@ky.gov">Yvette.Smith@ky.gov</a>	502-564-8099
<b>National Women Business Owner’s Council (NWBOC)</b>	Janet Harris-Lange	<a href="mailto:janet@nwbo.org">janet@nwbo.org</a>	800-675-5066
<b>Small Business Administration</b>	Robert Coffey	<a href="mailto:robertcoffey@sba.gov">robertcoffey@sba.gov</a>	502-582-5971
<b>LaVoz de Kentucky</b>	Andres Cruz	<a href="mailto:lavozdeky@yahoo.com">lavozdeky@yahoo.com</a>	859-621-2106
<b>The Key News Journal</b>	Patrice Muhammad	<a href="mailto:production@keynewsjournal.com">production@keynewsjournal.com</a>	859-685-8488



**LFUCG MWDBE PARTICIPATION FORM**

Bid/RFP/Quote Reference # 79-2024

The MWDBE and/or veteran subcontractors listed have agreed to participate on this Bid/RFP/Quote. If any substitution is made or the total value of the work is changed prior to or after the job is in progress, it is understood that those substitutions must be submitted to Central Purchasing for approval immediately. **Failure to submit a completed form may cause rejection of the bid.**

MWDBE Company, Name, Address, Phone, Email	MBE WBE or DBE	Work to be Performed	Total Dollar Value of the Work	% Value of Total Contract
1. G & G Paving & Const. (859) 229-7023	MBE	Asphalt	TBD	TBD
2.				
3.				
4.				

The undersigned company representative submits the above list of MWDBE firms to be used in accomplishing the work contained in this Bid/RFP/Quote. Any misrepresentation may result in the termination of the contract and/or be subject to applicable Federal and State laws concerning false statements and false claims.

WOODALL CONSTRUCTION CO., INC.  
1332 Cahill Drive  
Lexington, KY 40504-1164

Company

Company Representative

Date

Title

6-6-2024

[Signature]  
President



**LFUCG MWDBE SUBSTITUTION FORM**

Bid/RFP/Quote Reference # 79-2024

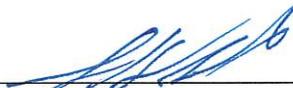
The substituted MWDBE and/or veteran subcontractors listed below have agreed to participate on this Bid/RFP/Quote. These substitutions were made prior to or after the job was in progress. These substitutions were made for reasons stated below and are now being submitted to Central Purchasing for approval. By the authorized signature of a representative of our company, we understand that this information will be entered into our file for this project.

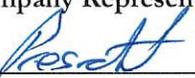
SUBSTITUTED MWDBE Company Name, Address, Phone, Email	MWDBE Formally Contracted/ Name, Address, Phone, Email	Work to Be Performed	Reason for the Substitution	Total Dollar Value of the Work	% Value of Total Contract
1.					
2.					
3.					
4.					

The undersigned acknowledges that any misrepresentation may result in termination of the contract and/or be subject to applicable Federal and State laws concerning false statements and false claims.

WOODALL CONSTRUCTION CO., INC.  
 1332 Cahill Drive  
 Company Lexington, KY 40504-1164

Date 6/6/2024

  
 Company Representative

  
 Title



**MWDBE QUOTE SUMMARY FORM**

Bid/RFP/Quote Reference # 79-2024

The undersigned acknowledges that the minority and/or veteran subcontractors listed on this form did submit a quote to participate on this project. Failure to submit this form may cause rejection of the bid.

Company Name <u>Woodall Const</u>	Contact Person <u>GARY CAUDILL</u>
Address/Phone/Email <u>1332 Cahill Dr. Coburnton Ky (859) 833-2909</u>	Bid Package / Bid Date <u>79-2024 6-6-2024</u>

MWDBE Company Address	Contact Person	Contact Information (work phone, Email, cell)	Date Contacted	Services to be performed	Method of Communication (email, phone meeting, ad, event etc)	Total dollars \$\$ Do Not Leave Blank (Attach Documentation)	MBE * AA HA AS NA Female	Veteran
<u>6x6 Paving</u>	<u>TARONIE GATESTEIN</u>		<u>6-4-24</u>	<u>ASPHALT PAVING</u>	<u>PHONE</u>	<u>TBD</u>	<u>DBE</u>	<u>NO</u>

(MBE designation / AA=African American / HA= Hispanic American/AS = Asian American/Pacific Islander/ NA= Native American)

The undersigned acknowledges that all information is accurate. Any misrepresentation may result in termination of the contract and/or be subject to applicable Federal and State laws concerning false statements and claims.

Woodall Const Co, Inc Company  
6-6-2024 Date  
Gary Caudill Company Representative  
ESTIMATOR/PM Title



## LFUCG SUBCONTRACTOR MONTHLY PAYMENT REPORT

The LFUCG has a 10% goal plan adopted by city council to increase the participation of minority and women owned businesses in the procurement process. The LFUCG also has a 3% goal plan adopted by cited council to increase the participation of veteran owned businesses in the procurement process. In order to measure that goal LFUCG will track spending with MWDDBE and Veteran contractors on a monthly basis. By the signature below of an authorized company representative, you certify that the information is correct, and that each of the representations set forth below is true. Any misrepresentation may result in termination of the contract and/or prosecution under applicable Federal and State laws concerning false statements and false claims. Please submit this form monthly to the Division of Central Purchasing/ 200 East Main Street / Room 338 / Lexington, KY 40507.

Bid/RFP/Quote # 79-2024  
 Total Contract Amount Awarded to Prime Contractor for this Project \_\_\_\_\_

<b>Project Name/ Contract #</b>	<b>Work Period/ From: To:</b>
<b>Company Name:</b>	<b>Address:</b>
<b>Federal Tax ID:</b>	<b>Contact Person:</b>

Subcontractor Vendor ID (name, address, phone, email)	Description of Work	Total Subcontract Amount	% of Total Contract Awarded to Prime for this Project	Total Amount Paid for this Period	Purchase Order number for subcontractor work (please attach PO)	Scheduled Project Start Date	Scheduled Project End Date
	/						

By the signature below of an authorized company representative, you certify that the information is correct, and that each of the representations set forth below is true. Any misrepresentations may result in the termination of the contract and/or prosecution under applicable Federal and State laws concerning false statements and false claims.

\_\_\_\_\_  
**Company**

\_\_\_\_\_  
**Company Representative**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Title**

**LFUCG STATEMENT OF GOOD FAITH EFFORTS**

Bid/RFP/Quote # 29-2024

By the signature below of an authorized company representative, we certify that we have utilized the following Good Faith Efforts to obtain the maximum participation by MWDBE and Veteran-Owned business enterprises on the project and can supply the appropriate documentation.

\_\_\_\_\_ Advertised opportunities to participate in the contract in at least two (2) publications of general circulation media; trade and professional association publications; small and minority business or trade publications; and publications or trades targeting minority, women and disadvantaged businesses not less than fifteen (15) days prior to the deadline for submission of bids to allow MWDBE firms and Veteran-Owned businesses to participate.

\_\_\_\_\_ Included documentation of advertising in the above publications with the bidders good faith efforts package

Attended LFUCG Central Purchasing Economic Inclusion Outreach event

\_\_\_\_\_ Attended pre-bid meetings that were scheduled by LFUCG to inform MWDBEs and/or Veteran-Owned Businesses of subcontracting opportunities

\_\_\_\_\_ Sponsored Economic Inclusion event to provide networking opportunities for prime contractors and MWDBE firms and Veteran-Owned businesses

Requested a list of MWDBE and/or Veteran subcontractors or suppliers from LFUCG and showed evidence of contacting the companies on the list(s).

Contacted organizations that work with MWDBE companies for assistance in finding certified MWBDE firms and Veteran-Owned businesses to work on this project. Those contacted and their responses should be a part of the bidder's good faith efforts documentation.

\_\_\_\_\_ Sent written notices, by certified mail, email or facsimile, to qualified, certified MWDBEs soliciting their participation in the contract not less than seven (7) days prior to the deadline for submission of bids to allow them to participate effectively.

Followed up initial solicitations by contacting MWDBEs and Veteran-Owned businesses to determine their level of interest.

Provided the interested MWBDE firm and/or Veteran-Owned business with adequate and timely information about the plans, specifications, and requirements of the contract.

\_\_\_\_\_ Selected portions of the work to be performed by MWDBE firms and/or Veteran-Owned businesses in order to increase the likelihood of meeting the contract goals. This includes, where appropriate, breaking out contract work items into economically feasible units to facilitate MWDBE and Veteran participation, even when the prime contractor may otherwise perform these work items with its own workforce

Negotiated in good faith with interested MWDBE firms and Veteran-Owned businesses not rejecting them as unqualified without sound reasons based on a thorough investigation of their capabilities. Any rejection should be so noted in writing with a description as to why an agreement could not be reached.

\_\_\_\_\_ Included documentation of quotations received from interested MWDBE firms and Veteran-Owned businesses which were not used due to uncompetitive pricing or were rejected as unacceptable and/or copies of responses from firms indicating that they would not be submitting a bid.

\_\_\_\_\_ Bidder has to submit sound reasons why the quotations were considered unacceptable. The fact that the bidder has the ability and/or desire to perform the contract work with its own forces will not be considered a sound reason for rejecting a MWDBE and/or Veteran-Owned business's quote. Nothing in this provision shall be construed to require the bidder to accept unreasonable quotes in order to satisfy MWDBE and Veteran goals.

\_\_\_\_\_ Made an effort to offer assistance to or refer interested MWDBE firms and Veteran-Owned businesses to obtain the necessary equipment, supplies, materials, insurance and/or bonding to satisfy the work requirements of the bid proposal

\_\_\_\_\_ Made efforts to expand the search for MWBE firms and Veteran-Owned businesses beyond the usual geographic boundaries.

\_\_\_\_\_ Other--any other evidence that the bidder submits which may show that the bidder has made reasonable good faith efforts to include MWDBE and Veteran participation.

**NOTE: Failure to submit any of the documentation requested in this section may be cause for rejection of bid. Bidders may include any other documentation deemed relevant to this requirement which is subject to approval by the MBE Liaison. Documentation of Good Faith Efforts must be submitted with the Bid, if the participation Goal is not met.**

The undersigned acknowledges that all information is accurate. Any misrepresentations may result in termination of the contract and/or be subject to applicable Federal and State laws concerning false statements and claims.

WOODALL CONSTRUCTION CO., INC.  
1332 Cahill Drive  
Lexington, KY 40504-1164

Company \_\_\_\_\_  
6-6-2024

Date

\_\_\_\_\_  
Company Representative

Title

8. **AUTHENTICATION OF BID AND STATEMENT OF NON-COLLUSION, NON-CONFLICT OF INTEREST**

I hereby swear (or affirm) under the penalty for false swearing:

1. That I am the Bidder (if the Bidder is an individual), a partner of the Bidder (if the Bidder is a partnership), or an officer or employee of the bidding corporation having authority to sign on its behalf (if the Bidder is a corporation);
2. That the attached bid has been arrived at by the Bidder independently, and has been submitted without collusion with, and without any agreement, understanding or planned common course of action, with any other contractor, vendor of materials, supplies, equipment or services described in the Invitation to Bid, designed to limit independent bidding or competition;
3. That the contents of the bid or bids have not been communicated by the Bidder or its employees or agents to any person not an employee or agent of the Bidder or its surety on any bond furnished, with the bid or bids, and will not be communicated to any such person, prior to the official opening of the bid or bids;
4. That the Bidder is legally entitled to enter into the contracts with the Lexington-Fayette Urban County Government, and is not in violation of any prohibited conflict of interest;
5. (Applicable to corporation only) That as a foreign corporation, we are registered with the Secretary of State, Commonwealth of Kentucky, and authorized to do business in the State \_\_\_\_\_ or, that as a domestic corporation, we are in good standing with the Secretary of State, Commonwealth of Kentucky \_\_\_\_\_. Check the statement applicable.
6. This offer is for 60 calendar days from the date this bid is opened. In submitting the above, it is expressly agreed that, upon proper acceptance by the Lexington-Fayette Urban County Government of any or all items bid above, a contract shall thereby be created with respect to the items accepted.
7. That I have fully informed myself regarding the accuracy of the statements made in this statement.
8. That I certify that Subcontractors have not and will not be awarded to any firm(s) that have been debarred from noncompliance with the Federal Labor Standards, Title VI of the Civil Rights Act of 1964 As Amended, Executive Order 11246 As Amended or any other Federal Law.

9. STATEMENT OF EXPERIENCE

NAME OF INDIVIDUAL: Scott Woodall

POSITION/TITLE: President

STATEMENT OF EXPERIENCE: grub/drain/sewer/concrete  
30 plus yrs exp

NAME OF INDIVIDUAL: Ray Landell

POSITION/TITLE: PM

STATEMENT OF EXPERIENCE: grub/drain/sewer/concrete  
40 plus yrs exp

NAME OF INDIVIDUAL: Charlie Miller

POSITION/TITLE: Superintendent

STATEMENT OF EXPERIENCE: grub/drain/sewer/concrete  
40 plus yrs exp

NAME OF INDIVIDUAL: John Carroll

POSITION/TITLE: Controller

STATEMENT OF EXPERIENCE: controller/accounting  
40 plus yrs exp.

NAME OF INDIVIDUAL: \_\_\_\_\_

POSITION/TITLE: \_\_\_\_\_

STATEMENT OF EXPERIENCE: \_\_\_\_\_

NAME OF INDIVIDUAL: \_\_\_\_\_

POSITION/TITLE: \_\_\_\_\_

STATEMENT OF EXPERIENCE: \_\_\_\_\_

\* Include all officers, office management's, Affirmative Action officials, and field management personnel. (Attach separate sheets if necessary.)

## 10. EQUAL OPPORTUNITY AGREEMENT

### Standard Title VI Assurance

The Lexington Fayette-Urban County Government, (hereinafter referred to as the “Recipient”) hereby agrees that as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78Stat.252, 42 U.S.C. 2000d-4 (hereinafter referred to as the “Act”), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, (49 CFR, Part 21) Nondiscrimination in Federally Assisted Program of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the “Regulations”) and other pertinent directives, no person in the United States shall, on the grounds of race, color, national origin, sex, age (over 40), religion, sexual orientation, gender identity, veteran status, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from the U.S. Department of Transportation, including the Federal Highway Administration, and hereby gives assurance that will promptly take any necessary measures to effectuate this agreement. This assurance is required by subsection 21.7(a) (1) of the Regulations.

### The Law

- \* Title VII of the Civil Rights Act of 1964 (amended 1972) states that it is unlawful for an employer to discriminate in employment because of race, color, religion, sex, age (40-70 years) or national origin.
- \* Executive Order No. 11246 on Nondiscrimination under Federal contract prohibits employment discrimination by contractor and subcontractor doing business with the Federal Government or recipients of Federal funds. This order was later amended by Executive Order No. 11375 to prohibit discrimination on the basis of sex.
- \* Section 503 of the Rehabilitation Act of 1973 States:  
*The Contractor will not discriminate against any employee or applicant for employment because of physical or mental handicap.*
- \* Section 2012 of the Vietnam Era Veterans Readjustment Act of 1973 requires Affirmative Action on behalf of disabled veterans and veterans of the Vietnam Era by contractors having Federal Contracts.
- \* Section 206 (A) of Executive Order 12086, Consolidation of Contract Compliance Functions for Equal Employment Opportunity, states:  
*The Secretary of Labor may investigate the employment practices of any Government contractor or sub-contractor to determine whether or not the contractual provisions specified in Section 202 of this order have been violated.*

The Lexington-Fayette Urban County Government practices Equal Opportunity in recruiting, hiring and promoting. It is the Government's intent to affirmatively provide employment opportunities for those individuals who have previously not been allowed to enter into the mainstream of society. Because of its importance to the local Government, this policy carries the full endorsement of the Mayor, Commissioners, Directors, and all supervisory personnel. In following this commitment to Equal Employment Opportunity and because the Government is the benefactor of the Federal funds, it is both against the Urban County Government policy and illegal

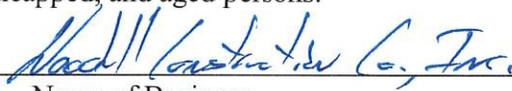
for the Government to let contracts to companies which knowingly or unknowingly practice discrimination in their employment practices. Violation of the above mentioned ordinances may cause a contract to be canceled and the contractor may be declared ineligible for future consideration.

Please sign this statement in the appropriate space acknowledging that you have read and understand the provisions contained herein. Return this document as part of your application packet.

**Bidders**

I/We agree to comply with the Civil Rights Laws listed above that govern employment rights of minorities, women, Vietnam veterans, handicapped, and aged persons.

  
\_\_\_\_\_  
Signature

  
\_\_\_\_\_  
Name of Business

The Entity (regardless of whether construction contractor, non-construction contractor or supplier) agrees to provide equal opportunity in employment for all qualified persons, to prohibit discrimination in employment because of race, color, religion, sex (including pregnancy, sexual orientation or gender identity), national origin, disability, age, genetic information, political affiliation, or veteran status, and to promote equal employment through a positive, continuing program from itself and each of its sub-contracting agents. This program of equal employment opportunity shall apply to every aspect of its employment policies and practices.

The Kentucky equal Employment Opportunity Act of 1978 (KRS 45.560-45.640) requires that any count, city, town, school district, water district, hospital district, or other political subdivision of the state shall include in directly or indirectly publicly funded contracts for supplies, materials, services, or equipment hereinafter entered into the following provisions:

During the performance of this contract, the contractor agrees as follows:

- (1) *The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, age or national origin;*
- (2) *The contractor will state in all solicitations or advertisements for employees placed by or on behalf of the contractors that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, age or national origin;*
- (3) *The contract will post notices in conspicuous places, available to employees and applicants for employment, setting forth the provisions of the non-discrimination clauses required by this section; and*
- (4) *The contractor will send a notice to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding advising the labor union or workers' representative of the contractor's commitments under the nondiscrimination clauses.*

The Act further provides:

KRS 45.610. Hiring minorities – Information required

- (1) *For the length of the contract, each contractor shall hire minorities from other sources within the drawing area, should the union with which he has collective bargaining agreements be unwilling to supply sufficient minorities to satisfy the agreed upon goals and timetable.*
- (2) *Each contractor shall, for the length of the contract, furnish such information as required by KRS 45.560 to KRS 45.640 and by such rules, regulations and orders issued pursuant thereto and will permit access to all books and records pertaining to his employment practices and work sites by the contracting agency and the department for purposes of investigation to ascertain compliance with KRS 45.560 to 45.640 and such rules, regulations and orders issued pursuant thereto.*

KRS 45.620. Action against contractor – Hiring of minority contractor or subcontractor

- (1) *If any contractor is found by the department to have engaged in an unlawful practice under this chapter during the course of performing under a contract or subcontract covered under KRS 45.560 to 45.640, the department shall so certify to the contracting agency and such certification shall be binding upon the contracting agency unless it is reversed in the course of judicial review.*
- (2) *If the contractor is found to have committed an unlawful practice under KRS 45.560 to 45.640, the contracting agency may cancel or terminate the contract, conditioned upon a program for future compliance approved by the contracting agency and the department. The contracting agency may declare such a contractor ineligible to bid on further contracts with that agency until such time as the contractor complies in full with the requirements of KRS 45.560 – 45.640.*
- (3) *The equal employment provisions of KRS 45.560 to 45.640 may be met in part by a contractor by subcontracting to a minority contractor or subcontractor. For the provisions of KRS 45.560 to 45.640, a minority contractor or subcontractor shall mean a business that is owned and controlled by one or more persons disadvantaged by racial or ethnic circumstances.*

KRS 45.630 Termination of existing employee not required, when

*Any provision of KRS 45.560 to 45.640 notwithstanding, no contractor shall be required to terminate an existing employee upon proof that that employee was employed prior to the date of the contract.*

KRS 45.640 Minimum skills

*Nothing in KRS 45.560 to 45.640 shall require a contractor to hire anyone who fails to demonstrate the minimum skills required to perform a particular job.*

It is recommended that all of the provisions quoted above to be included as special conditions in each contract. In the case of a contract exceeding \$250,000, the contractor is required to furnish evidence that his work-force in Kentucky is representative of the available work-force in the area from which he draws employees, or to supply an Affirmative Action plan which will achieve such representation during the life of the contract.

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**11. EQUAL EMPLOYMENT OPPORTUNITY AFFIRMATIVE ACTION POLICY**

It is the policy of Woodell Const. Co., Inc.

to assure that all applicants for employment and all employees are treated on a fair and equitable basis without regard to their race, religion, sex, color, handicap, natural origin or age.

Such action shall include employment, promotion, demotion, recruitment or recruitment advertising, layoff or termination, rates of pay and other forms of compensation, and selection for training, whether apprenticeship and/or on-the-job-training.

Furthermore, this company agrees to make special recruitment efforts to hire the protected class whenever feasible. This company also agrees to adhere to all applicable federal, state, and local laws relating to Equal Employment Opportunity for all individuals.

12. WORKFORCE ANALYSIS FORM

Name of Organization: Woodall Construction Co.

Categories	Total	White (Not Hispanic or Latino)		Hispanic or Latino		Black or African-American (Not Hispanic or Latino)		Native Hawaiian and Other Pacific Islander (Not Hispanic or Latino)		Asian (Not Hispanic or Latino)		American Indian or Alaskan Native (not Hispanic or Latino)		Two or more races (Not Hispanic or Latino)		Total		
		M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	
Administrators	3	3																
Professionals	2	2																
Superintendents	2	2																
Supervisors	5	5																
Foremen	4	3	1															
Technicians																		
Protective Service <del>LABORERS</del> Para-Professionals	21	20				1												
Office/Clerical	4	1	3															
Skilled Craft	20	20																
Service/Maintenance	13																	
Total:																		

Prepared by: [Signature]  
(Name and Title)

Date: 6/15/24  
Revised 2015-Dec-15

**13. EVIDENCE OF INSURABILITY**

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONSTRUCTION PROJECT  
(Use separate form for each Agency or Brokerage agreeing to provide coverage)

Names Insured: Woodall Construction Co., Inc. Employee ID: 61-1138771  
 Address: 1332 Cahill Dr. Lex, KY 40504 Phone: 859-233-2969  
 Project to be insured: LFUGS - Div of Parks & Rec. WPC

In lieu of obtaining certificates of insurance at this time, the undersigned agrees to provide the above Named Insured with the minimum coverage listed below. These are outlined in the Insurance and Risk Management of Part V (Special Conditions), including all requirements, and conditions:

Section Items	Coverage	Minimum Limits and Policy Requirements	Limits Provided To Insured	Name of Insurer	A.M. Best's Code	Rating
SC-3, Section 2, Part 4.1 - see provisions	CGL	\$1,000,000 per occ. And \$2,000,000 aggregate	\$ 1,000,000 OCC \$2,000,000 AGG	Travelers	A++	XV
SC-3, Section 2, Part 4.1 - see provisions	AUTO	\$1,000,000/per occ.	\$1,000,000 OCC	Travelers	A++	XV
SC-3, Section 2, Part 4.1 - see provisions	WC	Statutory w/endorsement as noted	\$4,500,000	KY AGC	A-	VII

Section 2 includes required provisions, statements regarding insurance requirements, and the undersigned agrees to abide by all provisions for the coverage's checked above unless stated otherwise when submitting.

Acrisure LLC dba GCH Insurance Group  
Agency or Brokerage

John W. Hampton  
Name of Authorized Representative

780 Winchester Road  
Street Address

Producer  
Title

Lexington KY 40505  
City State Zip

John W. Hampton  
Authorized Signature

859-254-1836  
Telephone Number

June 5, 2024  
Date

NOTE: Authorized signatures may be the agent's if agent has placed insurance through an agency agreement with the insurer. If insurance is brokered, authorized signature must be that of authorized representative of insurer.

**IMPORTANT: Contract may not be awarded if a completed and signed copy of this form for all coverage's listed above is not provided with the bid.**

14. DEBARRED FIRMS

PROJECT NAME: Deck Construction UPC

BID NUMBER: 79-0224

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT  
LEXINGTON, KY

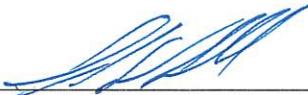
All prime Contractors shall certify that Subcontractors have not and will not be awarded to any firms that has been debarred for noncompliance with the Federal Labor Standards, Title VI of the Civil Rights Act of 1964 As Amended, Executive Order 11246 As Amended or any other Federal Law.

All bidders shall complete the attached certification in duplicate and submit both copies to the Owner with the bid proposal. The Owner (grantee) shall transmit one copy to the Lexington-Fayette Urban County Government, Division of Community Development, within fourteen (14) days after bid opening.

The undersigned hereby certifies that the firm of Woodall Construction Co., Inc. has not and will not award a subcontract, in connection with any contract award to it as the result of this bid, to any firm that has been debarred for noncompliance with the Federal labor Standards, Title VI of the civil Rights Act of 1964, Executive Order 11246 as amended or any Federal Law.

WOODALL CONSTRUCTION CO., INC.  
1332 Cahill Drive  
Lexington, KY 40504-1164

\_\_\_\_\_  
Name of Firm Submitting Bid

  
\_\_\_\_\_  
Signature of Authorized Official

  
\_\_\_\_\_  
Title

6/6/2024  
\_\_\_\_\_  
Date

**15. DEBARMENT CERTIFICATION**

All contractors/subcontractors shall complete the following certification and submit it with the bid proposal.

The contractor/subcontractor certifies in accordance with Executive Order 12549 (Debarment and Suspension 2/18/86) that to the best of its knowledge and belief, that it and its principals:

- 1) Are not presently debarred, suspended, proposed for debarment, declared negligible, or voluntarily excluded from covered transactions or contract by any Federal department or agency for noncompliance with the Federal Labor Standards, Title VI of the Civil Rights Act of 1964 as amended, Executive Order 11246 as amended or any other Federal law;
  - a) Have not within a three year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  - b) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(a) of this certification; and
  - c) Have not within a three year period preceding this bid has one or more public (Federal, State or local) transactions or contracts terminated for cause or default.
- 2) Where the contractor is unable to certify to any of the statements in this certification, such prospective contractors shall attach an explanation to this certification form.

Firm Name: WOODALL CONST. CO., INC

Project: 79-2024

Printed Name and Title of Authorized Representative: GARY CAUDILL PM

Signature: Gary Caudill

Date: 6-6-2024



**ADDENDUM #1**

Bid Number: **#79-2024**

Date: May 28, 2024

Subject: **Parks Construction UPC**

Address inquiries to:  
Kristie Thomas  
(859) 258-3320

**TO ALL PROSPECTIVE SUBMITTERS:**

Please be advised of the following clarifications to the above referenced Bid:

1. Online Q&A

a. Q: Please post last bid amounts for review.

A: See tabulation from previous Bid 69-2023 attached.

Todd Slatin, Director  
Division of Procurement

All other terms and conditions of the Bid and specifications are unchanged.  
This letter should be signed, attached to and become a part of your Bid.

COMPANY NAME: WOODALL CONSTRUCTION CO., INC.  
1332 Cahill Drive

ADDRESS: Lexington, KY 40504-1164

SIGNATURE OF BIDDER:

